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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under**

**37 CFR 1.97(b) or 1.97(c))**

**Docket No.**

**14531.103**

**In Re Application Of:**

APR 28 2006

Peter T. Barrett

**Application No.**

10/001,298

**Filing Date**

October 19, 2001

**Examiner**

Shirley Chang

**Customer No**

47973

**Group Art Unit**

2614

**Confirmation No.**

2485

**Title:** VIDEO SEGMENT TARGETING USING REMOTELY ISSUED INSTRUCTIONS AND LOCALIZED STATE AND BEHAVIOR INFORMATION

Address to:

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☒ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under  
37 CFR 1.97(b) or 1.97(c))**

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**Title:** VIDEO SEGMENT TARGETING USING REMOTELY ISSUED INSTRUCTIONS AND LOCALIZED STATE AND BEHAVIOR INFORMATION

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \$ \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 233178 as described below.
- ☐ Charge the amount of \$ \_\_\_\_\_.
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☒ Payment by credit card. Form PTO-2038 is attached.

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**\*This certificate may only be used if paying by deposit account.**

  
\_\_\_\_\_  
Signature

Dated: April 28, 2006

JENS C. JENKINS  
Attorney for Applicant  
Registration No. 44,803  
Customer No. 47973

PATENT APPLICATION

Docket No.: 14531.103

Docket No.: 14531.103



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter T. Barrett

Serial No.: 10/001,298

Filed: October 19, 2001

Confirmation No.: 2485

**For:** VIDEO SEGMENT TARGETING USING  
REMOTELY ISSUED INSTRUCTIONS  
AND LOCALIZED STATE AND  
BEHAVIOR INFORMATION

Examiner: Shirley Chang

Customer No. 47973

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§

102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

In accordance with 37 C.F.R. § 1.97(c), a form PTO 2038 in the amount of \$180.00 [amount in § 1.17(i)(1) to cover the submission fee] is enclosed to secure consideration of the references submitted with this Information Disclosure Statement.) Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 28 day of April, 2006.

Respectfully submitted,

RICK D. NYDEGGER  
Registration No. 28,651  
JENS C. JENKINS  
Registration No. 44,803  
Attorneys for Applicant  
Customer No. 47973

EXPRESS MAIL LABEL NO.: EV821889558

Form PTO-1449

Applicant: Peter T. Barrett

Serial No.: 10/001,298

Filing Date: October 19, 2001

Confirmation No.: 2485

For: VIDEO SEGEMENT TARGETING USING REMOTELY ISSUED  
INSTRUCTIONS AND LOCALIZED STATE AND BEHAVIOR  
INFORMATION



Sheet 1 of 4

Att'y Docket No.: 14531.103

Group: 2614

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INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

| <u>Examiner<br/>Initial*</u> | <u>Patent<br/>Number</u> | <u>Issue<br/>Date</u> | <u>Name</u>      | <u>Class</u> | <u>Sub<br/>Class</u> | <u>Filing<br/>Date</u> |
|------------------------------|--------------------------|-----------------------|------------------|--------------|----------------------|------------------------|
| _____ A1.                    | 6,141,010                | 10/31/00              | Hoyle            | 345          | 356                  | 7/17/98                |
| _____ A2.                    | 6,211,901                | 4/3/01                | Imajima et al.   | 348          | 7                    | 5/21/96                |
| _____ A3.                    | 6,201,536                | 3/13/01               | Hendricks et al. | 345          | 327                  | 12/2/94                |
| _____ A4.                    | 6,718,551                | 4/6/04                | Swix et al.      | 725          | 32                   | 12/21/99               |
| _____ A5.                    | 6,338,094                | 1/8/02                | Scott et al.     | 709          | 245                  | 12/9/99                |
| _____ A6.                    | 6,011,537                | 1/4/00                | Slotznick        | 345          | 115                  | 1/27/98                |
| _____ A7.                    | 6,496,857                | 12/17/02              | Dustin et al.    | 709          | 219                  | 2/8/00                 |
| _____ A8.                    | 6,317,761                | 11/13/01              | Landsman et al.  | 707          | 513                  | 7/13/99                |
| _____ A9.                    | 6,185,586                | 2/6/01                | Judson           | 707          | 513                  | 4/6/98                 |
| _____ A10.                   | 6,728,776                | 4/27/04               | Colbath          | 709          | 231                  | 8/27/99                |
| _____ A11.                   | 6,248,946                | 6/19/01               | Dwek             | 84           | 609                  | 3/1/00                 |

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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV821889558US

Form PTO-1449

Sheet 2 of 4

Applicant: Peter T. Barrett

Serial No.: 10/001,298

Att'y Docket No.: 14531.103

Filing Date: October 19, 2001

Group: 2614

Confirmation No.: 2485

For: VIDEO SEGEMENT TARGETING USING REMOTELY ISSUED  
INSTRUCTIONS AND LOCALIZED STATE AND BEHAVIOR  
INFORMATION

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|            |           |          |             |     |     |         |
|------------|-----------|----------|-------------|-----|-----|---------|
| _____ A12. | 6,687,906 | 2/3/04   | Yuen et al. | 725 | 42  | 6/25/98 |
| _____ A13. | 6,639,608 | 10/28/03 | Itakura     | 345 | 738 | 7/31/97 |
| _____ A14. | 6,137,834 | 10/24/00 | Wine et al. | 375 | 240 | 5/28/97 |

Foreign Patent Documents

| <u>Examiner</u><br><u>Initial*</u> | <u>Patent</u><br><u>Number</u> | <u>Pub.</u><br><u>Date</u> | <u>Name</u> | <u>Class</u> | <u>Sub</u><br><u>Class</u> | <u>Filing</u><br><u>Date</u> |
|------------------------------------|--------------------------------|----------------------------|-------------|--------------|----------------------------|------------------------------|
| _____ A15.                         | WO 99/55066                    | 10/28/99                   | Zetmeir     | H04M         | 3/00                       | 4/14/99                      |

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner  
Initial\*

|            |   |
|------------|---|
| _____ A16. | Ehrmantraut et al., <i>The Personal Electronic Program Guide – Towards the Pre-selection of Individual TV Programs</i> , <u>CIKM</u> , pp. 243-250, 1996. |
| _____ A17. | Rosengren, J., <i>Electronic Programme Guides and Service Information</i> , <u>Phillips J. Res.</u> , Vol. 50 No. ½, pp. 252-265, 1996.                   |

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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV821889558US

Form PTO-1449

Sheet 3 of 4

Applicant: Peter T. Barrett

Serial No.: 10/001,298

Att'y Docket No.: 14531.103

Filing Date: October 19, 2001

Group: 2614

Confirmation No.: 2485

For: VIDEO SEGEMENT TARGETING USING REMOTELY ISSUED  
INSTRUCTIONS AND LOCALIZED STATE AND BEHAVIOR  
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- \_\_\_\_\_ A18. Tarrant D.R., *An Open European Standard for an Electronic Programme Guide*, International Broadcasting Convention, pp. 440-446, September 1997.
- \_\_\_\_\_ A19. Morington-West, A., *Some Issues With ESGs and EPGs Helping the Consumer to Navigate*, The Institution of Electrical Engineers, pp. 1-5, 1998.
- \_\_\_\_\_ A20. Khosrowpour M. et al., *Effective Utilization and Management of Emerging Information Technologies*, IRMA International Conference, pp. 652-656, May 1998.
- \_\_\_\_\_ A21. Claria Corporate Overview [online] Redwood City (CA); [retrieved 2004-06-03]. Retrieved from the Internet <URL: [www.claria.com/companyinfo/](http://www.claria.com/companyinfo/)>.

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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EV821889558US

Form PTO-1449

Sheet 4 of 4

Applicant: Peter T. Barrett

Serial No.: 10/001,298

Att'y Docket No.: 14531.103

Filing Date: October 19, 2001

Group: 2614

Confirmation No.: 2485

For: VIDEO SEGEMENT TARGETING USING REMOTELY ISSUED  
INSTRUCTIONS AND LOCALIZED STATE AND BEHAVIOR  
INFORMATION

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### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

AHY0000000135V001

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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Peter T. Barrett

Docket No.  
14531.103Application No.  
10/001,298Filing Date  
October 19, 2004

APR 28 2006

Examiner  
Shirley ChangCustomer No  
47973Group Art Unit  
2614**Invention:** VIDEO SEGMENT TARGETING USING REMOTELY ISSUED INSTRUCTIONS AND LOCALIZED STATE AND BEHAVIOR INFORMATION

I hereby certify that the following correspondence:

Transmittal Letter (2 pgs in duplicate); Supplemental Information Disclosure Statement (2 pgs); Form PTO-1449 Listing all Cited References (4 pgs); Legible Copies of 21 Cited References; PTO 2038 Credit Card Form in the amount of \$180.00; Postcard; and Certificate of Express Mailing Label No. EV821889558

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

April 28, 2006*(Date)*Angela Young*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EV821889558US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**